

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Office of Community Outreach and Media Relations

P.O. Box 942898

Sacramento, CA 94298-0001

(916) 843-3310

(800) 735-2929 (TT/TDD)

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April 11, 2019

File No.: 013.A13673.A16501.2019-27

Mr. Dave Maass
MuckRock
DEPT MR 70641
411A Highland Avenue
Somerville, MA 02144-2516
70641-35198817@requests.muckrock.com

Re: California Public Records Act (CPRA) Request, dated March 17, 2019

Dear Mr. Maass:

The California Highway Patrol (CHP), Office of Community Outreach and Media Relations (COMR) received your California Public Records Act (CPRA) request, dated March 17, 2018, and received by this office on March 18, 2019. On March 28, 2019, COMR extended its 10-day response timeframe by an additional 14 days, as authorized by Government Code Section 6253(c)(1).

In your request you asked for the following, verbatim:

(T)he following records related to the Traditionalist Worker Party demonstration that occurred at the California State Capitol on June 26, 2016:

A. Records related to the demonstration itself:

1. Permit application for the demonstration
2. Granted permit for the demonstration
3. Communications between CHP and permit applicants
4. Communications between CHP and counter protesters
5. Communications between CHP and Sacramento PD regarding the demonstration
6. Communications between CHP and the Mayor of Sacramento and Sacramento City Councilmembers regarding the demonstration



- 7. Communications between CHP and members of the California legislature regarding the demonstration
- 8. Calls for service, incident reports, and arrest reports related to the demonstration and property damage
- 9. Communications between CHP and the National Lawyers Guild regarding the demonstration

B. Records related to previous CPRA requests regarding the demonstration:

- 10. All records related to the processing of my June 26, 2016 CPRA request (File No.: 013.A13673.A16501.2017-16).
- 11. All records related to the reopening of my CPRA case request March 9, 2017 (File No.: 013.A13673.A16501.2016-25).

C. Records related to CHP employee Donovan Ayres.

All records regarding:

- 12. Incidents involving the discharge of a firearm at a person by Donovan Ayres;
- 13. Incidents involving the use of force by Donovan Ayres against a person, resulting in death or great bodily injury;
- 14. Incidents in which a sustained finding was made by any law enforcement agency or oversight agency that Donovan Ayres engaged in sexual assault involving a member of the public;
- 15. Incidents in which a sustained finding was made by any law enforcement agency or oversight agency of dishonesty by Donovan Ayres directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial officer, including, but not limited to, any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence.

The Department has determined that your request, in part, seeks copies of disclosable public records in the Department's possession; however, the Department is withholding certain records, because they are exempt from public disclosure under the California Public Records Act. At the request of the Sacramento County District Attorney, these records are being withheld due to ongoing litigation.

As this request relates to item 1, permit application, this information is withheld per Government Code Section 6254, subdivision (f).

As this request relates to item 2, granted permit, this information is withheld per Government Code Section 6254, subdivision (f).

As this request relates to item 3, communications between the permit applicants and the CHP, this information is withheld per Government Code Section 6254, subdivision (f).

As this request relates to item 4, communications between CHP and counter protesters, after a thorough and complete search, COMR has determined the Department does not possess any records responsive to your request.

As this request relates to item 5, communications between CHP and Sacramento PD regarding the demonstration, this information is withheld per Government Code Section 6254, subdivision (f).

As this request relates to item 6, communications between the CHP and the Mayor of Sacramento and Sacramento City council members, after a thorough and complete search, COMR has determined the Department does not possess any records responsive to your request.

As this request relates to item 7, communications between CHP and members of the California legislature, after a thorough and complete search, COMR has determined the Department does not possess any records responsive to your request.

As this request relates to item 8, calls for service, incident reports, and arrest reports, the Department has identified Computer Aided Dispatch (CAD) logs responsive to your request for "calls for service." The Department is withholding all information from these logs on the basis of Government Code Section 6254, subdivision (f) due to ongoing litigation.

As this request relates to item 9, communications between CHP and the National Lawyers Guild, after a thorough and complete search, COMR has determined the Department does not possess any records responsive to your request.

As this request relates to item 10, all records related to the processing of your June 26, 2016, CPRA request, COMR has identified 12 pages of responsive records.

As this request relates to item 11, all records related to the processing of your March 9, 2017, CPRA request, COMR has identified 13 pages of responsive records.

As this request relates to items 12-15, the disciplinary records of Officer Donovan Ayers involving discharge of a firearm, use of force, sexual assault, or dishonesty, after a thorough and complete search, COMR has determined the Department does not possess any records responsive to your request.

Mr. Dave Maass
Page 4 of 4
April 11, 2019

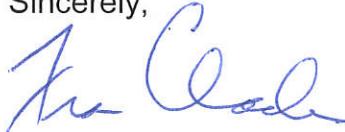
COMR has compiled a set of records consisting of 25 individual pages, which are available for release. To offset its duplication costs, the Department currently charges requesters a duplication fee of \$0.30 per page for records; therefore, to receive these records, please forward a check or money order in the amount of \$7.50 for printed records, or \$5.00 for one compact disc, to:

The California Highway Patrol
Office of Community Outreach and Media Relations
(Attention: Janelle Dunham)
P.O. Box 942898
Sacramento, CA 94298-0001

Please make the check or money order payable to the "California Highway Patrol." Once payment is received, these records will be prepared and sent to you on an expedited basis.

If you have any questions or if you need additional information, please contact this office at (916) 843-3310.

Sincerely,



F. CLADER
Director of Communications